



## Quarterly Report and Work Activities for September 2003

from

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The work performed under contract for the Libby Area Technical Assistance Group (LATAG) for the month of September carried over from the prior month relating to the discipline of *Document Review*. Additionally, steps were taken to begin to participate in the area homeowner advocacy assigned as a "Specific" task in item 10 of the Technical Advisor's contract wherein it states: "Serve as an advocate for the impacted homeowners, property owners, business owners and the LATAG Board. Develop a work plan to ensure the effectiveness of this important function."

### **Advocacy:**

The role of advocate has been informal to date with respect to the LATAG board. In our August meeting the board did assign a "Tiger Team" to begin to explore the advocate process and during the following month we have stepped up activities in order to further define the potential of the proposed program. Expenses on behalf of the Technical Advisor has now been charged to the program and it is now time to prepare the "Work Plan" as outlined in the TA contract. Work on the *Advocacy Plan* will begin in October after board approval and should be ready for review at the November board meeting. At that time the board can assign members to further explore activities associated with the successful completion of the advocacy assignment as well as realize the time commitment necessary to fulfill the task. In the event the board elects to not pursue the advocacy role it is important that decision be communicated through the CAG and therefore to the public.

### **Document Review:**

As a point of reference, the primary goal of *Document Review* is to build a solid foundation relating to the historic aspects and documents dealing with the Libby Superfund Site. This foundation is extremely important as the LATAG proceeds into the future and is called upon to author written responses addressing the EPA's *Remedial Action Plans*, *Risk Assessment*, and *Operation and Maintenance* strategies. Generally, the response period granted after the public notice of completion of the above mentioned documents could be short (30 to 60 days). Due to the complex technical and scientific

content of EPA planning documents, successful community response will require diligent thought and factual research. Over the last four months, the Technical Advisor has been in the process of researching a long list of EPA and outside documents germane to the activities within the Libby Superfund Site. As well, a considerable amount of time has been spent doing a substantial amount of internet research which will allow the TA to advise the LATAG on other important issues that might come up during the public review process. An important element inherent in the review process starts with a workable understanding of the complex provisions contained in the *Comprehensive Environmental Response, Compensation and Liability Act* ( CERCLA).

In the last few weeks of September the research has expanded to include two very important documents which will relate to our future position as a community, *Toxicological Profile for Asbestos* and *Technical Support Document for a Protocol to Assess Asbestos-Related Risk* ( *Berman & Crump*). This research adds greatly to the more site specific and planning documents reviewed in the past. ( *CDM Sampling Plans, Phase One and Two Sampling Plans, Safety Plans, CDM work procedures, Interagency Agreements*).

In order to take full advantage of the short time that could be available under the EPA public comment period as well as the complex scientific nature of the subject material time is of the essence. Especially when you consider the necessity to respond to any proposed EPA plans from a well prepared and technically comprehensive foundation. The first year of remedial activity has past and we have learned much. This experience and all we have learned must now flow to the EPA's proposed *Remedial Action Plan* and it will become our task to ensure our concerns are adequately considered before the "final" plan is adopted. In order to be considered, our points must be expressed in a clear and precise manner complete with the backing of support material acquired through research and document review.

The announcement of the completion of the EPA's *Remedial Action Plan* and *Risk Assessment* will bring immediate focus to our concerns and will require additional support from within the Libby and Troy communities. This additional community support will require LATAG to communicate their findings and assumptions to other groups. This process will be best handled through a team approach from within LATAG. Should the LATAG board find itself wishing to voice technical concerns relating to the upcoming EPA documents those concerns must be made in written form in order to be effectively considered. The foundation work and research done over the past three months represents a good starting point from which we can rely during the successful authorship of any comments we wish to make. To be most successful the review and authorship of potential comments should be directed from a study group made up of LATAG board members and associates, so as to expand our field of technical and practical understanding. To accomplish this task the LATAG should establish a "*Study Group Tiger Team*" whose members agree to meet for two hours a week over the winter and discuss various issues of concern. The proposed "*Study Group*" will be directed by the TA and address technical issues important to the present position of the remedial project.

Each study session will take two hours and will include a presentation of the particular technical issue to be addressed and a joint discussion of the material by the members of the group. This concept will greatly add to the expansion of our knowledge as a board as well as broaden our individual view of the very technical subject matter with which we deal. The LATAG members who agree to participate must be dedicated to the process and be willing to attend weekly sessions and participate in outside reading. Each study session will take no more than two hours and will carry over from session to session. At the end of each month, the study group will prepare a summary report to be delivered to the LATAG board or will conduct further board training as required.

## Public Education and Information

The board's role within the discipline of public education also requires a technical understanding of the entire planning and activity process surrounding the cleanup project and the scientific plans that direct that process. This understanding extends from the early stages of *Remedial Investigation* to a future of remedial action, as proposed in the new *Remedial Action Plan* and *Risk Assessment*. As a highly impacted community, perhaps the single most important phase of our experience under remedial response will come in our future, as we embark on the planning efforts surrounding *Operation and Maintenance*. Because of the technical nature of our directive under the *Environmental Protection Technical Assistance Grant* (Reference: CERCLA-section 9617: *Public Participation* subsection "a", b & c", *Proposed Plan and Final Plan, Explanation of Differences* and CERCLA-section 9617: subsection "e" *Grants for Technical Assistance*.) the LATAG must not only assume a leadership position in the area of community advocacy relating to public comment but should also serve as a primary advisory resource for the newly proposed *Operation and Maintenance Work Group*. Without the proactive and technical involvement of the LATAG any secondary planning organization studying the issues relating to the final stages of our cleanup will fall short of the serious directives assigned under CERCLA. In order to fulfill its technical advisory decree assigned under CERCLA the LATAG board and its associates and contractors must be informed on the following:

Superfund Remedial Process as directed by CERCLA.

Past and present remedial investigations on Operable Unites *One* through *Five* which will include the disposition of the W.R. Grace Mine site.

All elements, plans and assumptions made under emergency response relating to Operable Unites *One* through *Four*.

Interim remedial activities accomplished under *Emergency Response* during years 2001 through 2003.

Interim cleanup policies and procedures established under first stages of early remedial response experienced in summer 2003 cleanup.

The interrelationships that exist between EPA, Volpi, Mt. DEQ, removal contractors and the chain of command driving the project.

Plans, directives and procedures devised by the Montana Department of Environmental Quality relating to Libby, Troy cleanup and future Operation and Maintenance.

Methodology used to secure funding for the Libby and Troy Superfund Sites.

Mineralogy and scientific characteristics of a variety of amphibole asbestos groups including *Libby Amphibole*.

A basic knowledge of the epidemiological studies associated with exposure to *Libby Amphibole*.

The overall capabilities of analytical and sampling techniques used to measure asbestos during *Remedial Investigation* and in the future as new sites are uncovered.

Scientific approach used to establish *Risk Assessments* to determine asbestos toxicity.

Problems and solutions experienced over 2003 summer remedial cleanup season.

Past and proposed *Health Assessments, Risk Assessments and Toxicological Profile for Asbestos*.

Workable knowledge of *Comprehensive Environmental Response, Compensation and Liability Act ( CERCLA )*.

A workable knowledge of the *Technical Support Document for a Protocol to Assess Asbestos-Related Risk* ( Berman and Crump) and other supporting documents.

A workable knowledge of the 2003 to 2006 EPA "Draft" Strategic Plan and other support documents.

A knowledge of the EPA's commitment to the proliferation and support of "*Public Participation*" to be included in decisions made surrounding the Libby Superfund Site.

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## First Quarter Goal Technical Advisor

*The goal of the "first quarter" of support activity provided to the LATAG by the Technical Advisor was to build a strong technical foundation from which the board and its associates can successfully accomplish the role of community advisor as well as fully participate in efforts to continue the progress of community education. As a technical assistance resource chartered under CERCLA law, the LATAG group is committed to the enhancement of reliable information stemming from both past, present and future activities and documents. Supported by the activities of the Technical Advisor the board is now positioned to serve as a noteworthy resource for any future efforts relating to community planning.*

*In order to effectively fulfill its directives under CERCLA, the LATAG must be allowed to fully participate in planning efforts as well as serve as a community based technical resource. The primary goal of the Section 9617: CERCLA seems to attempt to consolidate and formalize the various elements of public participation and not provide for a duplication of important aspects of the EPA planning and implementation process. The first quarter goals of the LATAG supported by the work of the Technical Advisor has been to bring itself up to speed in order to advance into the future unabated by the complexity of the scientific subject matter in which it deals.*

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## The Future Libby Area Technical Assistance Group

The future of the technical assistance work assigned to the LATAG depends greatly on the level of participation allowed in the process of EPA and Mt. DEQ planning as it relates specifically to the following:

Remedial cleanup of homes and business existing in Operable Unit Four.

Future work plans relating to DEQ commitment to remedial activities in Troy.

Development of specific remedial procedures, site safety and potential cross contamination issues on both Libby and Troy sites.

Long range planning relating to the development of Operation and Maintenance plans for the Libby and Troy sites.

Long range planning and implementation of mine site reclamation.

Future pathological and scientific studies relating to *Risk Assessment*.

Grant funding for the expansion of short and long range activities of the LATAG and other community planning groups.

Future of advocate program.

The very success of the technical assistance concept as directed within CERCLA should remain consistent over the life of the project in order to be fully responsive to the overall needs of the Superfund Site. That is to say, the ability of the LATAG to remain fully engaged under CERCLA and to fulfill the important role of proactive public participation depends to a large extent on the group's ability to be taken seriously by both the community it serves and the managers of the EPA. This ability, in part, is the responsibility of the LATAG group itself who must continue to remain current in its level of scientific and technical understanding and research as it might relate to the remedial action and operation and maintenance phases of the project. On the other hand, it is also the responsibility of the EPA to continue to look to the LATAG as "a" lead technical advisory group as they further proceed in project planning and implementation. Without the joint commitment of the EPA and LATAG, the technical assistance potential of the LATAG cannot fully mature to its highest level of participation.

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## Summary Report on Past Technical Requests

Past response by the EPA to requests made by the LATAG concerning a number of technical requests for documents, procedures and plans from the EPA, Volpi and CDM have been handled in a spirit of full participation. The first round of requests came from the presentation of the "*White Paper*" wherein the LATAG requested a copy of the decontamination procedures employed at cleanup sites. This response came with the arrival of the CDM, Volpi, Salute and EPA *Health and Safety Plans*. The response was further augmented by Jim Christiansen as he set up a series of safety meetings between the LATAG Technical Advisor and CDM officials. These meetings were productive from the onset and could involve the redesign of certain sections of the *Safety Plans* to include LATAG concerns.

The second request made within the presentation of the "*White Paper*" included procedures employed in the cleaning of heater ducts located within homes. In a discussion with EPA the LATAG agreed to set the issue aside pending the development of the EPA *Remedial Action Plan*.

During the course of following LATAG meetings additional requests were made including the delivery of the *Technical Support Document for a Protocol to Assess Asbestos-Related Risk (Berman & Crump)* which was delivered in full to the community

during the month of September. A request for the *Interagency Work Agreement* between Volpi and the EPA, and complete copy of the *EPA Administrative Record*, were also requested and delivered timely.

Each of these documents are in the possession of the LATAG Technical Advisor and have been read and recorded.

Additional information was requested from the EPA relating to *eighteen points* and were responded to in full by the EPA. Follow up comments on the EPA response to the "*eighteen points*" will be processed upon board directive to the Technical Advisor. Point number eleven contained within the "*eighteen points*" has been addressed in particular by the EPA and the TA with regard to a potential meeting to be held in EPA Region Eight and attended by a number of LATAG members. The proposed meeting will address issues and methodology of risk assessment. Formal arrangements are yet to be made for the meeting.

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## Summary

Over the last four months the LATAG has experienced normal growth pains as it develops into the role it has been granted through EPA funding. The group has embarked on a number of paths that should place Libby high on the screen as a Superfund Site. We have begun to work with impacted home owners as a partner in the cleanup process. Our level of technical expertise continues to grow, as we continue our research and evaluation of EPA documents and we are looked upon as a potential resource by CDM as it deals with problem resolution experienced on a variety of properties.

Our library of documents continues to grow and our use of those documents in the process of internal decision making will become an important element in our future ability to respond as a community.

As we approach the delivery of the *Risk Assessment and Remedial Action Plan* our research and response activity will step up greatly and it is very possible we will experience a tightening of available funding. The increased level of activity necessary to comprehensively respond to work plans, Berman Crump, and risk assessment will require a good deal of work and organization. This increased level of activity will stretch our present level of funding for both the Technical Advisor and Administrative contractor.

We have come a fair distance over the last four months and it is our hope the progress will continue as we move forward into the future. The partnership between the EPA and LATAG seems to be advancing and should continue to mature in the last quarter of 2003.